

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**RE: PETITION OF BAY STATE GAS COMPANY  
TO INCUR LONG-TERM DEBT OF UP TO \$50,000,000**

**DTE 02-73**

**MOTION OF LOCAL 273 TO POSTPONE START OF EVIDENTIARY HEARING BY UP  
TO 30 MINUTES**

(“Local 273”) hereby requests that the Department postpone the start of the evidentiary hearings scheduled for December 12, 2002 in this case by up to thirty minutes, so as to allow counsel for Local 273 to appear.<sup>1</sup> In support of this motion, Local 273 states:

1. The Notice of Filing and Public Hearing in this case (Nov. 21, 2002) sets 10:30 AM on December 12, 2002 for a public hearing, and further notes that “[a]n evidentiary hearing will follow the public hearing.”
2. Local 273 believes that there will be few parties wishing to speak at the public hearing and that the evidentiary hearing could begin almost immediately after 10:30 AM.
3. Counsel for Local 273 is appearing in a matter in Cambridge District Court scheduled for 9:30 AM on December 12. Counsel for Local 273 unsuccessfully attempted to reschedule the matter to another time. Counsel then conferred with the moving party and believes that the matter will likely be concluded by 10 AM. However, it is possible that counsel for Local 273 will not appear before the Department until as late as 11 AM.
4. Counsel for Local 273 twice requested the Company to agree to postpone the start of the

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<sup>1</sup> Local 273 regrets having to bring a scheduling matter before the Department by motion but has been unable to resolve the matter informally, as explained below.

evidentiary hearing, for up to 30 minutes (until 11 AM), in order insure that Local 273 may be represented at the outset of the hearing. The Company would not so agree.

5. To protect its rights, including its right to present oral argument on its Petition to Intervene and on any preliminary or procedural issues raised at the immediate outset of the hearing, Local 273 asks that the Department not initiate the evidentiary portion of the hearing until as late as 11 AM, in the event that its counsel is not present earlier.
6. Regardless of the Department's ruling on this motion, Local 273 reserves its right to make oral argument on its Petition to Intervene and to address preliminary matters such as the schedule for any further hearings or filing of briefs.

For the reasons presented above, Local 273 asks the Department to grant its motion.

Respectfully Submitted,

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